IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE M.H.S. ANSARI

and
THE HON'BLE MR JUSTICE T.CH.SURYA RAO

WRIT PETITION NO : 6928 of 2004

Between:

MPR Refractories Ltd. Flat No.303, Everest Block, Aditya Enclave, Ameerpet, Hyderabad- 500 038 rep.by its Finance Manager K.Srinivas Rao

..... PETITIONER

AND

1 The Assistant Commissioner of Customs, Customs House,

Port Area, Visakhapatnam.
2 The Commissioner of Customs & Central Excise (Appeals),

CLS Building Annexe, II Floor, Nampally Station Road,

Hyderabad.
3 The Commissioner of Customs & Central Excise (appeals)

Customs House, Port Area, Visakhapatnam - 530035.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying

that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction especially in the nature of Writ of Certiorari, quashing the Detention order F.No.C10/15/2001/AP dated 31-3-2004 passed by the 1st respondent and direct respondent No.3 to dispose of the petitioner's application dated 7-11-2001 in appeal No.15/2001 (V) CUS (H) expeditiously and consequently stay all proceedings for recovery of the disputed demand of Rs.11,83,989/- till the petitioner's application dated 7-11-2001 is decided by the 3rd respondent

Counsel for the Petitioner:MR.A.SANJAY KISHORE

Counsel for the Respondent No.: MR.ARAJASHEKAR REDDY (SC FOR CG)

The Court made the following :

O R D E R (Per MHSA,J)

It is represented by the learned counsel for the petitioner that the matter is rendered infructuous on account of subsequent events, namely that the appeal has been disposed of by the Commissioner (Appeals).

2. Accordingly writ petition is dismissed as infructuous. Interim orders, if any, shall stand vacated forthwith. No costs.

M.H.S.ANSARI,J

DATE:17.01.2005 T.CH.SURYA RAO,J

AVS

To.

1 The Assistant Commissioner of Customs, Customs House, Port Area, Visakhapatnam.
2 The Commissioner of Customs & Central Excise (Appeals), CLS Building Annexe, II Floor, Nampally Station Road, Hyderabad.
3 The Commissioner of Customs & Central Excise (appeals) Customs House, Port Area, Visakhapatnam - 530035.

4. Two C.D. copies.